



**MEMO ENDORSED**

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June 19, 2006

**BY FACSIMILE**

Honorable James C. Francis IV  
United States Magistrate Judge  
United States Courthouse  
Southern District of New York  
500 Pearl Street, Room 1960  
New York, NY 10007

**USDC SDNY**  
**DOCUMENT**  
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Re: Albertson v. City of New York, et al., 05 CV 7692 (KMK) (JCF)

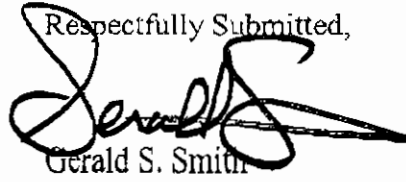
Dear Judge Francis:

On behalf of Plaintiffs and Defendants, I write to request a modification of the deadlines in the Case Management Order ("CMO") in this case to provide a 3-month extension on each of the deadlines in the CMO. (Order Attached). The Parties have served all initial written discovery requests and are in the process of working together to resolve various discovery matters.

Some of the witnesses in this case have been designated by Defendants as "consolidated witnesses." As the Court is aware, those consolidated depositions are ongoing, and it does not appear that they will be completed before the July 1, 2006 deadline for fact discovery that is currently prescribed in this case. In addition, both sides require additional time for other discovery, including depositions of non-consolidated defense witnesses, Plaintiffs, and third party witnesses. In addition, as two of the Plaintiffs currently reside out of the State and one Plaintiff currently resides out of the Country it will be difficult to hold their depositions within the current time frame.

The parties have not previously requested such an extension in this case.

Respectfully Submitted,



Gerald S. Smith  
Assistant Corporation Counsel

Cc: Carolyn Goodwin, Esq. (via facsimile)

6/20/06  
Application granted.  
so ORDERED.  
James C. Francis IV  
USMS